

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROBERT RASTOCKY, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

OPTIONABLE INC., KEVIN CASSIDY, and  
EDWARD J. O'CONNOR

Defendants.

CASE NO.: 07-CIV-3755 (WP4) (~~SCR~~)

NOTICE OF DISMISSAL

PLEASE TAKE NOTICE THAT Plaintiff, pursuant to Federal Rule of Civil Procedure 41(a)(1), voluntarily dismisses without prejudice the above-entitled action. Said dismissal is filed without prejudice since Defendants have not filed an answer or a motion for summary judgment. While this action was filed pursuant to Federal Rule of Civil Procedure 23, court approval of said dismissal is not required as no class has been certified, no settlement or other consideration is involved, and the dismissal would not bind any purported class members.

Dated: May 16, 2007

Respectfully submitted,

SARRAF GENTILE LLP

*Ronen Sarraf*

Ronen Sarraf  
Joseph Gentile  
485 Seventh Avenue, Suite 1005  
New York, NY 10018  
(212) 868-3610

SCHATZ NOBEL IZARD P.C.

Andrew Schatz  
Jeffrey S. Nobel  
20 Church Street, Suite 1700,  
Hartford, CT 06103  
(860) 493-6292

Attorneys for Plaintiff

SO ORDERED:

*Cherene Bueant*

U. S. D. J.

dated: May 24, 2007

